IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 06.07.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice V.DHANAPALAN

Writ Appeal No. 522 of 2003

R.Nallamuthammal ... Appellant

Vs.

1.The Secretary to Government,
Housing and Urban Development
Department, Fort St. George,
Chennai-9.

2.The Special Tahsildar,
(Neighbourhood Scheme) and
Land Acquisition Officer,
Nagercoil,
Kanniyakumari District. .. Respondents

Writ appeal filed under Clause 15 of the Letters Patent against the order of this Court dated 05.04.2002 made in W.P.No.19440 of 1994.

For Appellant : Mr.A.Sivaji
For Respondents : Mr.P.Wilson
Special Government Pleader

WEB COPY

JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

Aggrieved by the order of the learned single Judge dated 05.04.2002 in W.P.No.19440 of 1994, the appellant/petitioner has filed the above appeal.

https://hcservices.ecourts.gov.in/hcservices/

2. It is brought to our notice that the matter in issue is covered by the earlier decision of us passed in WA No.541 of 2003 dated 16.06.2006. We have verified the order of the learned single Judge dated 05.04.2002. The learned single Judge dismissed both the writ petitions viz., W.P.Nos.19439 and 19440 of 1994 by common order dated 05.04.2002. Learned counsel appearing for the appellant has brought to our notice that against the common order of the very same learned single Judge made in W.P.No.19439 of 1994, W.A.No.541 of 2003 has been filed and by an order dated 16.06.2006, after hearing the counsel for the appellant as well as the Additional Government Pleader for respondents and taking note of the infirmities in publication and following various earlier orders, allowed the writ appeal. It is brought to our notice that the present writ appeal No.522 of 2003 is against the other W.P.No.19440 of1994, which was disposed of by the same learned single Judge by common order dated 05.04.2002. In the light of the same, we have no other option except to follow our earlier decision dated 16.06.2006. In the light of the reasons stated therein, the present appeal is allowed on the same terms. No costs.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1.The Secretary to Government,
Housing and Urban Development
Department, Fort St. George,
Chennai-9.

2.The Special Tahsildar,
(Neighbourhood Scheme) and
Land Acquisition Officer,
Nagercoil,
Kanniyakumari District.

1 cc To Mr.A.Sivaji, Advocate, SR.28953.

W.A.No. 522 of 2003

MKJ(CO)
RVL 14.07.2006

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/